

FILED

SEP 16 2021

Clerk, U. S. District Court  
Eastern District of Tennessee  
At Knoxville

DISTRICT COURT OF THE UNITED STATES  
EASTERN DISTRICT OF TENNESSEE

Erica Antonette Elliott

Cause No.

And

ERICA ANTONETTE ELLIOTT estate  
Legal Entity in Cestui Que Use

**applicants/Petitioner**

vs.

CRIMINAL COURT FOR KNOX COUNTY,  
TENNESSEE DIVISION II (INC)  
400 MAIN AVENUE, CITY BLDG.,  
SUITE 149 KNOXVILLE, TN, 37902

**Respondent(s)**

And

Kyle A. Hixson male doing business  
as Judge/administrator CRIMINAL

Affidavit of Fee Wavier

COURT FOR KNOX COUNTY TENNESSEE  
DIVISION II (INC) 400 MAIN AVENUE,  
CITY BLDG.,SUITE 149 KNOXVILLE, TN,37902

**Respondent(s)**

And

Charme P Allen female doing Business as  
District Attorney General For 6<sup>th</sup> Judicial  
District (INC) Knox County, Tennessee  
400 MAIN AVENUE, CITY BLDG.,  
SUITE 168 KNOXVILLE, TN, 37902

**Respondent(s)**

And

Sean S Deitrick male doing Business as Assistant )  
Office, Criminal Division (INC.) Knox County, )  
Tennessee 400 MAIN AVENUE, CITY BLDG., )  
SUITE 168 KNOXVILLE, TN, 37902 )

**Respondent(s)**

And

Danny C. Garland male doing Business as       )  
East Tennessee Disability                               )  
103 Suburban Road #202                               )  
Knoxville TN, 37923                                       )

**AFFIDAVIT OF NOTICE OF Petitioner FEE WAIVER/EXEMPTION**  
**FROM CIVIL FILING FEES FOR ORIGINAL CLAIM FOR DAMAGES FOR VIOLATION**  
**OF TREATIES WITH THE UNITED STATES, VIOATION OF THE HOLY BIBLE,**  
**CONSTITUTIONAL RIGHTS, CIVIL RIGHTS, 42 U.S.C. Section 1983, 42 U.S.C.**  
**Section 1985, 42 U.S.C. Section 1986, Title 18 section 241 and 242 AND**  
**INJUNCTIVE AND DECLARATORY RELIEF**

[ "Cujusque Rei Potissima Pars" ][The Principle Part of Everything Is In The Beginning]

By Erica Antonette Elliott, Under the peace and friendship treaty , the treaty of Delaware and the bible , a (wo)Man with a (soul) in her official capacity as a Private Attorney General and as a Constitutional Bounty Hunter pursuant to Congressional Mandate of the United States Congress under Title 42 United States code Public Health and welfare and under Title 18 United States code criminal code and pursuant to the Congressional Mandate of the Administrative Procedure Act's 1946 60 stat 237 and sets forth this document to be read and is required to be acted upon in equity and honor, with clean hand and in good faith as fiduciary for the Estate in Cestui Que Use, and hereby deposit this AFFIDAVIT OF NOTICE OF PLAINTIFF'S FEE WAIVER/EXEMPTION FROM CIVIL FILING FEES FOR ORIGINAL CLAIM FOR DAMAGES FOR VIOLATION OF TREATIES WITH THE UNITED STATES, VIOATION OF THE HOLY BIBLE, CONSTITUTIONAL RIGHTS, CIVIL RIGHTS, 42 U.S.C. Section 1983, 42 U.S.C. Section 1985, 42 U.S.C. Section 1986, Title 18 section 241 and 242 AND INJUNCTIVE AND DECLARATORY RELIEF and being first duly affirm according to law, having firsthand knowledge of the facts herein, and being competent to testify, do affirm that the facts herein are stated by your Affiant and Erica Antonette Elliott and are true, correct, complete and not misleading.

1. Affiant are competent to state the matters set forth herein;
2. Affiant here has knowledge of the facts stated herein;
3. Affiant is are over the age of 21 and Affiant and Erica Antonette Elliott is of the age of majority
4. All the facts herein stated are true, correct and complete, admissible as evidence. If called upon as a witness, Affiant will testify to their veracity;
5. Affiant does not have lawful money to pay the fee for filing AFFIDAVIT OF NOTICE OF PETITIONER'S FEE WAIVER/EXEMPTION FROM CIVIL FILING FEES FOR ORIGINAL CLAIM FOR DAMAGES FOR VIOLATION OF TREATIES WITH THE UNITED STATES, VIOATION OF THE HOLY BIBLE, CONSTITUTIONAL RIGHTS, CIVIL RIGHTS, 42 U.S.C. Section 1983, 42 U.S.C. Section 1985, 42 U.S.C. Section 1986, Title 18 section 241 and 242 AND INJUNCTIVE AND DECLARATORY RELIEF
6. Affiant does not receive income from any rental, pension, disability or gifts at this time
7. affiant has a God given right to redress which is protected in the united States Constitution of America of 1787 and 1791 in the first amendment the right to petition.
8. affiant has right to redress
9. affiant, sui juris citizen of heaven and ambassadors of the Creator through the blood of the savior and people of one of the several states and requiring a republican from of Government in equity, I'm before this court by special visitation on vacation from profit making STATE OF TENNESSEE, without waiving any rights, defenses, statutory or procedural and demand this court to provide Notice to all that the court will waive the civil filing fee based on the document here within and Affiant verifies and affirms that the facts stated herein are true, correct, and complete in all material fact and not misleading or misrepresented.
10. Affiant has no record or evidence that any fees, court costs, penalties, or any other

financial medium is required to be paid, or forfeited, to any court or policing agency without the United States and within any state of the Union of States. ADMIT – Libellee(s) listed within this document admit to the guilt of tort and the breaching of contracts against Erica Antonette Elliott under fictional falsity, a cloak to disguise a collateral undertaking, and malicious vexation by legal process to Erica Antonette Elliott pain and injury.

11. The US Supreme Court has ruled that a natural individual entitled to relief is "**entitled to free access..... to it's judicial tribunals and public offices in every State in the Union**" (2 Black 620; see also: Crandell vs. Nevada, 6 Wall 35). Erica Antonette Elliott should not be charged fees or costs for the lawful and constitutional right to petition this court in this matter in which she is entitled to relief, as it appears that the filing fee rule was originally implemented for fictions and subjects of government, and should not be applied to Erica Antonette Elliott or who is a natural individual and entitled to relief (Hale vs. Henkel, 201 U.S. 43). "**The Fee is the statutory creature moving within the fictional falsity as if it is presumed to be standing as the amortized obligation**". *Ryan v Motor Credit Company*, 130 J.J. Eq. 531, 23 A.2d 607, 621

12. This is the fiction of law, wherein the fictional falsities are perfected by devious means. Read Ballentine's Law Dictionary. Fiction. Something is presumed to be true, which is false. The alleged determination of "commitment cost" of \$ 400.00 to 500.00 for civil filings or court costs, fees, or penalties requires execution as a "cloak to disguise a collateral undertaking" in U.S. Funds and is "malicious vexation by legal process" under the disguise/pretense of a "lawful" government to enforce the unwritten Master - Slave

relationship. "Although probable cause may not be inferred from malice, malice may be inferred from lack of probable cause." Pauley v. Hall 335 N. W. 2d 197, 124 Mich App 255. "Malice is a state of mind and an essential element of action for malicious prosecution and is to be found by jury from case, and want of probable cause is the other element of action for malicious prosecution which must be proved by plaintiff." Lopez v. Modisitt 488 F. Supp 119 D. C. 1980.

### I. ACCEPTANCE OF CONSTITUTIONS AND OATH OF OFFICE:

13. Notice To All "Officers Of The Court" Point of Law: All contracts commence with an offer and only become binding upon acceptance. See: "Contracts" by Farnsworth, third edition, sect. 3.3, pages 112,113, Infra. The Organic Constitution of the United States of America, and the State of Tennessee, and the Oath of Office of the above named PUBLIC SERVANT'S, amounts to nothing more than offer of an intention to act or refrain from acting in a specified way between the respective governments and the private American people and for other purposes. Be it known by these presents that Erica Antonette Elliott, do hereby accept the Organic Constitution of the United States of America, and the State of Tennessee, and the Oath of Office of the above named PUBLIC SERVANT'S as your open and binding offer of promise to form a firm and binding contract between the respective governments, their political instrumentalities and the above named PUBLIC SERVANT and myself in my private capacity.

### II. The Contract

14. I expect that, as a PUBLIC SERVANT, you will perform all of your promises and stay within the limitations of your constitutions create no unfounded presumptions, seek only the true facts and tell the truth at all times and respect and protect my right of personal liberty and private property and all rights antecedent thereto. The foregoing Notice of Acceptance of Constitution and Oath of Office is made explicitly without

recourse and now constitutes a binding contract and any deviation there from will be treated as a breach of contract and a violation of substantive due process.

**Summary:**

15. Erica Antonette Elliott, will not be paying the filing fee to file their civil documents and if this court is not in agreement with what is stated in this document, this document must be rebutted by counter affidavit under penalty of perjury and state in accordance with the "Constitution" or "Common Law" the reason and case law to force plaintiff into paying filing fees.

Without Recourse

By: Erica : Elliott  
Erica Antonette Elliott for  
ERICA ANTONETTE ELLIOTT ESTATE/TRUST AND  
ERICA ANTONETTE ELLIOTT in Cestui Que Use  
all rights reserved

**Using a notary on this document does not constitute any adhesion, nor does it alter My status in any manner. The purpose for notary is verification and identification only and not for entrance into any foreign jurisdiction**

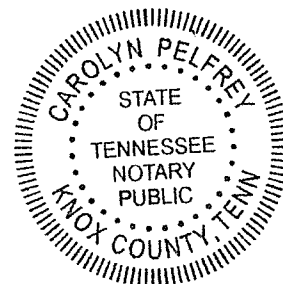
**JURAT**

State of TN )  
 ) ss.  
County of KNOX )

As a Notary Public, I do hereby certify that on this 16 day of September, 2021,  
Erica Antonette Elliott above mentioned appeared before me and executed the foregoing. Witness my hand and seal:

Carolyn Pelfrey  
Notary Republic  
01/29/2022  
My commission expires

SEAL:





recourse and now constitutes a binding contract and any deviation there from will be treated as a breach of contract and a violation of substantive due process.

**Summary:**

15. Erica Antonette Elliott, will not be paying the filing fee to file their civil documents and if this court is not in agreement with what is stated in this document, this document must be rebutted by counter affidavit under penalty of perjury and state in accordance with the "Constitution" or "Common Law" the reason and case law to force plaintiff into paying filing fees.

Without Recourse

By: Erica : Elliott  
Erica Antonette Elliott for  
ERICA ANTONETTE ELLIOTT ESTATE/TRUST AND  
ERICA ANTONETTE ELLIOTT in Cestui Que Use  
all rights reserved

**Using a notary on this document does not constitute any adhesion, nor does it alter My status in any manner. The purpose for notary is verification and identification only and not for entrance into any foreign jurisdiction**

**JURAT**

State of TN )  
 ) ss.  
County of KNOX )

As a Notary Public, I do hereby certify that on this 16 day of September, 2021,  
Erica Antonette Elliott above mentioned appeared before me and executed the foregoing. Witness my hand and seal:

Carolyn Pelfrey  
Notary Republic  
01/29/2022  
My commission expires

SEAL:

